

REMARKS

Claims 1-5, as amended, remain herein.

Editorial changes have been made in claims 1-5. Also, claims 1, 2 and 5 have been amended to recite first and second judging means and claim 4 has been amended with comparable method wording. See applicants' Fig. 3 showing two separate steps 33 and 38, and Fig. 1 showing corresponding structure, as described in the specification, page 22, lines 5-21.

1. Claims 1-5 were rejected under 35 U.S.C. §102(a) over EP 0 896 335.

The presently claimed playback apparatus includes a storage means for storing disc management information read from a disc and (1) a first judging means for determining whether or not plural kinds of disc management information are contained in the storage means, and (2) a second judging means for determining whether or not one of the plural kinds of disc management information has been selected by an external input receiving means when the first judging means determines that plural kinds of disc management information are stored in the storage means.

Serial No.: 09/590,138

This arrangement and corresponding method are nowhere disclosed or suggested in the cited reference.

The Office Action cites EP '335 as allegedly disclosing at least one of audio/video storage area, title set management information storage area, and disc management information storage area and associated playback apparatus. Actually, EP '335 discloses an optical disc having audio manager information and video manager information stored on the same disc, wherein plural kinds of coding of audio data associated with a particular video data are recorded and played back according to the capability of the playback apparatus, and apparatus for switching video playback in combination with an appropriate audio. However, some special DVD-audio discs include video information that is not played back by some systems because such systems mis-read such special discs and do not detect such video information.

Although EP '335 discloses apparatus for reading disc management information from the optical disc, EP '335 does not disclose apparatus for preventing such misreading of special DVD's. EP '355, paragraphs 0162 and 0192, discloses a system

Serial No.: 09/590,138

wherein a user selects A-MODE or V-MODE, but does not disclose or suggest apparatus for selecting disc management information or a checking step for determining whether or not both audio manager information and video manager information exist in memory as stored information read from the disc. EP '355 does not disclose (1) first judging means for determining whether or not plural kinds of disc management information (read from the disc) are contained in the storage means, and (2) second judging means for determining whether or not one of the plural kinds of disc management information has been selected by an external input receiving means when the first judging means determines that plural kinds of disc management information are stored in the storage means, as recited in applicants' claims.

For the foregoing reasons, EP '335 fails to disclose all elements of applicants' claimed invention, and therefore is not a proper basis for rejection under §102. And, there is no disclosure or teaching in EP '335 that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Claim 3, which depends from claim 2, are allowable for the same

Serial No.: 09/590,138

reasons explained herein for claim 2. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

All claims 1-5 are now proper in form and patentably distinguished over all grounds of rejection stated in the Office Action. Accordingly, allowance of all claims 1-5 is respectfully requested.


Serial No.: 09/590,138

Should the Examiner deem that any further action by the applicants would be desirable to place this application in even better condition for issue, the Examiner is requested to telephone applicants' undersigned representatives.

Respectfully submitted,

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